

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

JILL M. KELLER,

Defendant.

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8:06CR333

ORDER

There are several matters before the court. Attorney Ernest Addison moves to withdraw [9] and requests an extension of time to file pretrial motions [8] because the defendant recently retained substitute counsel. Substitute counsel, Deborah Cunningham, has filed a Motion to Continue [10] the deadline for filing pretrial motions. For good cause shown, the motions will be granted.

IT IS ORDERED:

1. That Attorney Ernest H. Addison, Jr.'s Motion to Withdraw [9] is granted. The record shall reflect that Deborah D. Cunningham is attorney of record for the defendant.

2. Defendant's MOTION FOR EXPANSION OF TIME TO FILE PRE-TRIAL MOTIONS [8] AND DEFENDANT'S MOTION TO CONTINUE [10] are granted. Pretrial motions shall be filed on or before **December 1, 2006**.

3. Defendant shall file a waiver of speedy trial as soon as practicable.

4. In accordance with 18 U.S.C. § 3161(h), I find that the ends of justice will be served by granting these motions and outweigh the best interest of the public and the defendant in a speedy trial. The additional time arising as a result of the granting of the motion, i.e., **the time between November 13, 2006 and December 1, 2006**, shall be deemed excludable time in any computation of time under the requirement of the Speedy Trial Act, 18 U.S.C. § 3161 because failure to grant a continuance would deny counsel for the defendant or the attorney for the Government the reasonable time necessary for effective preparation, taking into account the exercise of due diligence. 18 U.S.C. 3161(h)(8)(A) & (B)(iv).

DATED this 14th day of November, 2006.

BY THE COURT:

**s/ F.A. Gossett
United States Magistrate Judge**